

# EXHIBIT 46

**TSK! TSK!** BY S. DITKO © 1999  
#2

**WHY DO SOME PEOPLE SEEK THE UNEARNED...**

**TIME CREDITED**  
STAN LEE AS  
CREATOR OF  
SPIDER-MAN.(1)  
I WAS THE ONLY  
ONE WITH A  
PRINTED  
CLARIFICATION,  
CORRECTION.(2)

(1) 11/6/98  
(2) 11/13/98

STAN SAID IN A **COMIC BOOK MARKET-PLACE** INTERVIEW(3) THAT HE GAVE ME THE "FAMOUS" SPIDER-MAN-LIFTING MACHINERY IDEA.

I RESPONDED (4) THAT STAN DID NOT GIVE ME THAT IDEA, COULD NOT HAVE GIVEN ME ANY IDEA FOR THAT SEQUENCE, FOR THAT ISSUE, OR FOR MANY PRECEDING ISSUES.

NO ONE ELSE ADDRESSED THAT DISPUTE IN THE MAGAZINE.

(3) #61, 7/98, (4) #63, 9-10/98

STAN WRITES IN "**STAN LEE'S SOAPBOX**"(5)  
"YOU KNOW ME, I'LL TAKE ANY CREDIT THAT ISN'T NAILED DOWN"

(5) 5/99  
MARVEL COMICS

**SELF-DEFENSE IS A VALID MORAL PRINCIPLE AGAINST INITIATORS.**

**AND WHY DO OTHERS ALLOW INJUSTICE AND APPROVE THE UNEARNED?**

HE SAID IT SO  
IT'S PROVEN,  
TRUE!

I DON'T KNOW  
WHAT'S TRUE, BUT  
I'LL GO ALONG.

WHO CARES,  
WHAT'S TRUE!  
WANT IT TO BE SO.

I DON'T HAVE TO  
KNOW FACTS  
OR TRUTH TO  
DECIDE IT!

IS ANYONE ENTITLED TO AN **UNSUPPORTED** OPINION OR CLAIM?

IS **REWARDING** THE **UNDESERVING** SHOWING THE PROPER RESPECT FOR **JUSTICE**? (ONESELF?)

# TSK! TSK! by S. Ditka © 1999

## WHATEVER HAPPENED TO COMMON SENSE?

ON WHAT FACTUAL GROUNDS DO SOME PEOPLE TALK, WRITE AND CLAIM THAT SPIDER-MAN IS A ONE-MAN CREATION?

STAN LEE'S  
SPIDER-MAN  
"CREATION"

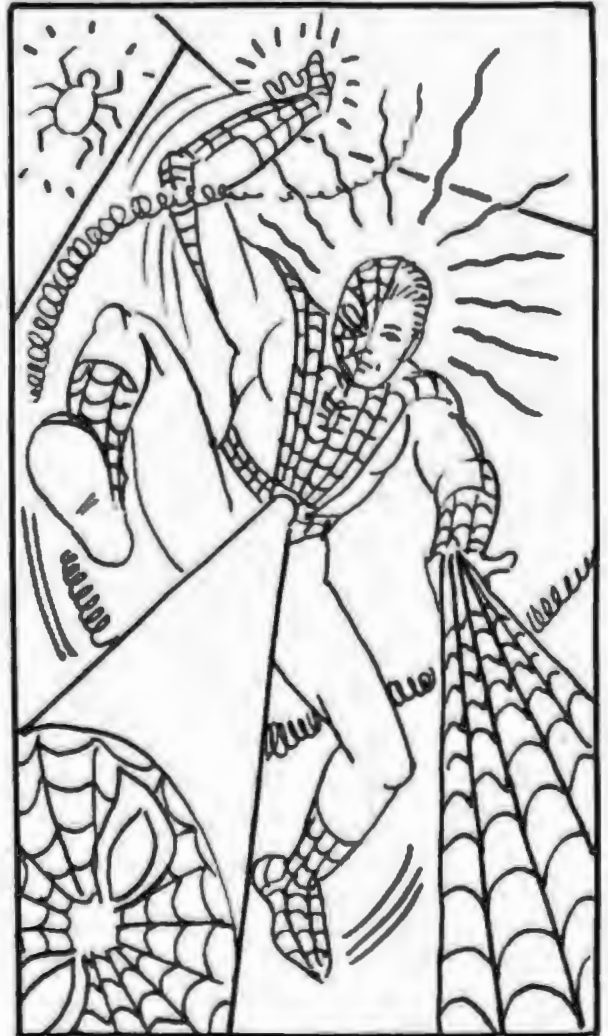
SPIDER-MAN

A 1 OR 2 PAGE SYNOPSIS  
FOR THE ARTIST WHO MUST  
DRAW 21-24 PAGES OF  
STORY/ART PANELS.

(DIALOGUE MUST THEN BE  
ADDED WORKING FROM  
THE ARTIST'S ROUGH  
PANEL SCRIPT.)



STEVE DITKO'S  
SPIDER-MAN  
"CREATION"



IS MARVEL'S SPIDER-MAN COMIC BOOK CHARACTER  
A ONE-MAN CREATION? OR A CO-CREATION?

PSSST! CHECK MARVEL'S STA-  
TIONARY, MAILING LABELS,  
WHICH CREATION IS USED?  
...WORD OR ART  
NAME OR COSTUME?

ANYONE INTERESTED IN...

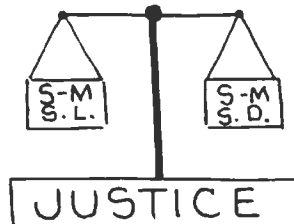


FACTS...TRUTH

**TSK! TSK!** *B. S. Ditko* © 2000  
**! ? ! ? ! ?**

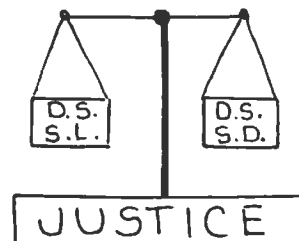
AUG. 8, 1999  
 STAN LEE'S "TO  
 WHOM IT MAY  
 CONCERN"  
 STATEMENT  
**THE COMICS**  
 NOV. 1999

"I HAVE ALWAYS  
 CONSIDERED STEVE  
 DITKO TO BE  
 SPIDER-MAN'S  
 CO-CREATOR...  
 I WRITE THIS TO  
 ENSURE THAT  
 STEVE DITKO  
 RECEIVES  
 THE CREDIT TO  
 WHICH HE IS SO  
 JUSTLY  
 ENTITLED."



FEB. 23, 1963  
 STAN LEE'S LETTER  
 TO **THE COMIC  
 READER #16**

"WE HAVE A NEW  
 CHARACTER...  
 NAMED DR.  
 STRANGE.  
 ...T'WAS STEVE'S  
 IDEA."



DEC. 7, 1999  
**TAMPA  
 TRIBUNE**

INTERVIEW  
 "RAIL: WHAT HERO  
 IS YOUR FAVORITE  
 CREATION?"  
 "SL: I DON'T KNOW...  
 DR. STRANGE.  
 WELL, SPIDER-  
 MAN, HE'S THE  
 MOST FAMOUS  
 CHARACTER  
 I CREATED."



MAY, 1999  
 "STAN LEE'S  
 SOAPBOX"  
 MARVEL COMICS

"YOU KNOW ME, I'LL TAKE  
 ANY CREDIT THAT ISN'T  
 NAILED DOWN."

END 32